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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,813	10/12/2001	Edward Larue Stull	010809-0003-999	4122
45766	7590	03/22/2007		
ANTOINETTE M. TEASE P. O. BOX 51016 BILLINGS, MT 59105			EXAMINER PRIETO, BEATRIZ	
			ART UNIT	PAPER NUMBER
			2142	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/976,813

Applicant(s)

STULL ET AL.

Examiner

Prieto B.

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2006 and 26 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-12, 14-23, 29-34, 37 and 40-46 is/are pending in the application.
- 4a) Of the above claim(s) 40-43 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-11, 17-23, 29-34, 37 and 44-46 is/are rejected.
- 7) ☒ Claim(s) 12 and 14-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Amendment/Response filed under 37 CFR §1.111 on October 18, 2006; claims 1-4, 6-12, 14-23, 29-34, 37 (40-43 withdrawn) and 44-46 remain pending.

2. Claims 5 and 36 has been canceled, and claim 34 has been amended to obviate objection regarding the use of the trademark/trade name(s), e.g. DB2, Oracle, Sybase, MS SQL server. Objection is hereby withdrawn.

Claim Rejection under 35 USC 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4. Claims 1, 7, 19 and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In this case, the language of the claim fails to particularly point out and distinctly claim (i) merging one portal into another, since it explicitly states, "wherein one or more data viewers from one portal can be merged into another portal". This raises uncertainties as to whether merging one portal into another is required. Language does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation (see MPEP §2106(C)).

Further, the language of the claim fails to particularly point out and distinctly claim (ii) wherein each data viewer has access to one or more data sources and is *configured to analyze data in the data sources and display the results of said analysis*. In accordance with the MPEP, machine claims (claim seems to be a system claim) will define discrete physical structure or materials (see MPEP §2106 (C)). Statements of intended use or field of use, e.g. "adapted for", "configured to" or "configured for" clauses, may raise a question as to the limiting effect of the language in the claim. In this claim limitation "each data viewer has access to one or more data sources and is *configured to analyze data in the data sources and display the results of said analysis*" does not limit the claim to any particular structure (see also MPEP §2111.04).

Additionally, regarding claim 19, the added claim clause recites, wherein JDBC connectivity is used to dynamically and recursively generate queries for accessing and manipulating data content in a multi-processing environment. The language does not limit a claim to a particular structure, does not limit

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the scope of a claim or claim limitation. The recited purpose or intended use must result in a structural difference (or, in the case of process claims, manipulative difference) between the claimed invention and the prior art. If so, the recitation serves to limit the claim. See, e.g., *In re Otto*, 312 F.2d 937, 938, 136 USPQ 458, 459 (CCPA 1963) (see MPEP §2105). The laudatory expressions, namely, the laudatory adjectives such as “dynamically and recursively generating queries” do not seem to limit the generation of the intended purpose of generating queries. For the purposes of examination, the limitation requires a JDBC connectivity.

Furthermore, regarding claim 7 and 30 reciting, wherein the data viewers of a portal *can be configured as* a plexus viewer, a table viewer, a chart viewer, a record viewer showing a row of data at a time, and SQL dialog and viewer for general SQL commands”, raises uncertainties as to whether a plexus viewer, a table viewer, a chart viewer, a record viewer showing a row of data at a time, and SQL dialog and viewer for general SQL commands are required. This language does not seem to require steps to be performed or does not limit a claim to a particular structure, does not limit the scope of a claim or claim limitation (see MPEP §2106(C)).

5. Claim 12 as now amended (and 14-16 by virtue of dependency) are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and contingent to the amending the intended use language of “can be”, “can be used”, as being language that claim fails to particularly point out and distinctly claim which raises uncertainties as to what is required in the claim.

Claim Rejection under USC 102

6. Quotation of the appropriate paragraphs of 35 USC 103 that form the basis for the rejections under this section made in this Office action may be found in previous office action.

7. Claims 1-4, and 6 are rejected under 35 USC 103(a) as being obvious over Bogrett (US 6,581,054) in view of Hoffman (US 2001/0034605)

Regarding claim 1, Bogrett teaches a data management system (col 4/lines 8-23), comprising:

an interface (114) for connecting the system (14) to a data source (20) via connections (col 3/lines 39-51);

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a facility (30) linked via connection (18) to the interface for managing the one data source (col 4/lines 8-22); and

computer (110) having a set of tools "portal" comprising a viewer (124) comprising a plurality of data viewers (116-126) each data viewer accesses the data source (col 18/lines 62-63, col 2/lines 4-21) for viewing data thereof (col 4/lines 61-col 8/line 43);

each data viewer analyze data in the data source, e.g. sort and filter data (column 7, lines 61-64) and display the results of said analysis (column 8, line 5-28);

the portal having one of the following management features, file create (new), save or open functions (see Fig. 11, see tool bar menu 488, col 16/lines 17-24), however Burettes does not teach where one portal can be merged into another.

Hoffman disclosure related to an integrated portal system, disclosing a three-tier system comprising a plurality of portals. Hoffman disclosure teaches a portal that integrates other portals [0006]; the integrated portal system comprises a first and second portal, the system integrates the first and second portal so the user can view information relating to both portal in a single portal system [0007], the portal system access information from the data sources of each individual portal [0011, 0013] including accessing and displaying [0015], thus more than one portal can be viewed simultaneously.

It would have been obvious to one of ordinary skill in the art at the time the invention was made given the suggestions of Hoffman for integrating one portal into another to apply these teachings into the Bogrett's system. In doing so the portal comprising a viewer which creates a combination of data viewers and allows users to easily switch from any view of data to any other and to sort and filter data across an organization, e.g. enterprise providing a single point of entry for integrated query, reporting, and analysis for a wide range of users supporting enterprise-wide analysis delivery and sharing of information enabling far more people within an enterprise will be able to make regular and productive use of data that already exists for the enterprise. Thus, the portal in the Bogrett system comprising a data viewer and comprising a plurality of data viewers is integrated into another portal. In would be motivated by the suggestions of Hoffman to enable the portals on the Internet today which typically relate to a single enterprise industry to create a system which allows a user to create a portal which includes all the enterprise industries relating to the user's enterprise industry, preventing a user to logs onto a site on the Internet and wishes to access information on another site for performing transactions thereon, e.g. to view data from the respective data sources without having to access server sites before gaining the information required, and facilitate transactions between companies without necessitating a wholesale change in current business practices, as suggested by Hoffman.

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Regarding claims 2-3, wherein one of the data sources is remotely accessible via “telecommunication” network, such as the internet or intranet (Bogrett: col 3/lines 51-53).

Regarding claim 4, a data viewer has access to two data sources (see Fig. 1), the two data sources that operate under different data systems e.g. proprietary databases e.g. DB2 by IBM for host processors having an MVS operating system, and an Oracle database which is provided for processors having a UNIX operating system (see Bogrett: col 6/lines 33-35), where used Java Database Connectivity (JDBC) protocol is a tool for enabling connectivity to a variety of different types of databases, e.g. from different database vendors, JDBC uses a generic database connectivity protocol that is not specific to a particular database (Bogrett column 6, lines 2-5, 33-35).

Regarding claim 6, the interface configured to create, edit, organize, select, and delete “connection specifications” information for said one data sources (Bogrett: Fig. 11, tool bar 488).

8. Claim 8 is rejected under 35 USC 103(a) as being unpatentable over Bogrett-Hoffman in view of Lai et. al. US 5,596,745 (Lai hereafter).

Regarding claim 8, wherein the portal enables concurrent visualization and manipulation of data from different sources.

Lai teachings regarding providing connections to source data which allows users to view data structures disclose a system and method for managing data source (databases) connection between concurrent user applications and a plurality of databases in a database management system (abstract), including

viewing and manipulating data from a data source response to user input (abstract), current systems support concurrent access to many databases or support multiple connections to single database (col 1/lines 38-47); displaying information from different databases via multiple concurrent connections (col 1/lines 48-col 2/line 10), connection supporting the retrieval and manipulate data col 4/lines 33-37); and

maintaining concurrent multiple connection between a single or multiple databases (col 2/lines 13-21, col 3/lines 34-37).

It would have been obvious to one of ordinary skill at the time the invention was made the concurrently accessing via multiple concurrent connections a single or multiple database was old and well known as exemplified by the applied reference. One would be motivated to apply the teachings of this

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reference because in doing so the user may manage many different reports derived from the same database or multiple databases without incurring in the overheads and/or degradations disclosed by the applied reference.

9. Claims 7, 9-11, and 17-19 are rejected under 35 USC 103(a) as being unpatentable over Boggett-Hoffman, as applied on claim 1, in view of Lipkin (US 6,721,747) in further view of Cohen (US 5,712,995).

Regarding claim 9, comprising a state-save facility that restore the status of the system operations.

Lipkin teachings regarding providing connections to source data which allows users to view data structures, disclosing a method and apparatus for managing information in an information resource system containing a server, a client, and a data source/database.

framework for saving and restoring object state including restoring objects regarding database system operations (col 12/lines 1-11), framework includes an algorithm for saving the state of an object (col 19/lines 37-52), including save state of system operations (col 22/lines 63-65) said databases comprising two data sources that operate under different data systems including one or more data systems, e.g. DB2, Oracle, Sybase, MS SQL server (col 11/lines 39-42), however does not explicitly teach the graphical user interface aspect of displaying "rebuilding" the data viewers in a subsequent session, as amended.

Cohn teaches rebuilding the data viewer in a subsequent session. Specifically, where a plurality of viewers (see Fig. 8), of a graphical user interface, where multiple viewers may be used simultaneously, tilers may be included in or form conventional windows which can be managed with other windows an incorporated into other interfaces (column 12, line 65 to column 13, line 9),

the viewers (panes) could be saved and restored particular layout (column 8, lines 35-39) restoring or reapplying a particular pane configuration in response to an application-specific action and in other situations (column 30, lines 8-16);

viewer's layouts can be saved and restored by writing a layout to a file or other storage when the tiler is closed, and reading the layout back from storage when the tiler is reopened, the viewer's content and tenant information can be saved along with such saved layout information, this provides the convenience of being able to return the layout to where the user left off when last working with the tiler, or current arrangement in a session (column 40, lines 51-65); the layouts can be and stored

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and restored in the same or in a later session, any previous layout can be re-obtained by the user or application as later access (column 42, lines 6-19).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the teachings of Cohn for restoring data viewers because in doing so it will enable the restoring or reapplying a particular pane configuration and content therein, in response to an application-specific action, as taught by Cohn which may be for example, terminating a session and in other situations, e.g. network failures, where the session is terminated abruptly and/or further motivated to enable views to be distributed and shared among users, thus the data viewers in one portal can be viewed in another portal, as suggested by Bogrett.

Regarding claim 7, wherein data viewers are one table viewer showing data in a table format (Bogrett: col 8/lines 5-14), the "format" of the data viewer does not change when merged into another portal, specifically, viewer's layouts can be saved and restored by writing a layout to a file or other storage when the tiler is closed, and reading the layout back from storage when the tiler is reopened, the viewer's content and tenant information can be saved along with such saved layout information, this provides the convenience of being able to return the layout to where the user left off when last working with the tiler, or current arrangement in a session (Cohen column 40, lines 51-65); the layouts can be and stored and restored in the same or in a later session, any previous layout can be re-obtained by the user or application as later access (Cohen column 42, lines 6-19). Thus, in view of the teachings in Cohen, the format of the data viewer does change when merged in another portal because the format of the data viewer is saved and restored by writing a layout to a file or other storage when the tiler is closed, and reading the layout back from storage when the tiler is reopened, the viewer's content and tenant information can be saved along with such saved layout information, this provides the convenience of being able to return the layout to where the user left off when last working with the tiler, or current arrangement in a session, hence independent of merging one portal into another.

Regarding claim 10, the status can be restored in an open environment (Lipkin: col 12/lines 1-11), when a data viewer is rebuilt, i.e. displayed, it displays the data as it exists at the time at which the data viewer is rebuilt, as it exists at that time because it is store (Cohen column 42, lines 6-19).

Regarding claim 11, a facility for monitoring and recording data sources accessed for display by the data viewer to which each data source is associated (Lipkin: col 22/lines 29-62).

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Regarding claims 17-18, wherein contents of one portal can be merged with another portal in the same session, and or retrieve stored views (e.g. from another session of the same user and/or different users) because views may be distributed and shared among groups and combine during a current session (Bogrett: column 7, lines 61-column 8, line 4 and Cohen: column 30, lines 8-16; column 40, lines 51 and column 42, lines 6-19).

Regarding claim 19, wherein the interface operates with any JDBC connectivity (Bogrett: col 6/lines 36-39).

10. Claims 20-23, 27-39 and 44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bogrett-Hoffman in view of Lipkin-Cohen in further view of Prologo et. al. (US 6,823,478) (Prologo hereafter).

Regarding claims 20-23, 27 and 33, the above-mentioned reference(s) do not explicitly teach testing data.

Prolog teaches a facility configured for create a test data set (column 1, lines 50-51), and compare the contents of two or more data sources (column 1, lines 60-68).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include teachings of Prolog for testing stored files such as software application, component of a webpage or the like, as suggested by Prolog. One would be motivated to include these testing methods in Bogrett's system because in doing the system will generate error messages for content that is not in compliance with a predetermined order or format, where the error messages in a web/markup language based format suitable for the viewers in Bogrett's system thereby viewable remotely over the web, further particularly without need to use the tested and/or upgraded processing environment, as suggested by Prolog.

Regarding claim 23, wherein the managing facility is configured to perform querying a data set (Bogrett: abstract)

Regarding claim 27, this system claim comprises substantially the same limitations as those discussed on claim 27, same rationale of rejection is applicable. Further limitation(s) include, where the data sources are a plurality of data sources (Fig. 1, col 6/lines 29-35, col 3/lines 57-58), a graphical user interface "data

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input facility" (114) with data source selection capabilities of database or database portions to which the user has access rights thereto (col 7/lines 50-60, col 5/lines 57- 65, col 11/lines 41-49).

Regarding claim 29, a save portal state process, a restore portal state process, a share portal state process, a save data source definitions process, a restore data source definitions process, or a share data source definitions process (Lipkin: column 12, lines 1-11), wherein the portal comprises means (e.g. a memory) for saving data analysis required for displaying (Bogrett: Fig. 5, steps 302-310).

Regarding claim 30, this claim is substantially the same as claim 7, same rationale of rejection is applicable.

Regarding claims 31-37, these claims comprises limitations substantially the same as those discussed on claims 4, 6-8 and/or 22, same rationale of rejection is applicable. Further, where the portal is associated with a processor "directory controller" and/or source directory controller (e.g. computers 14 and 16 of Fig. 1).

Regarding claim 38, context sensitive help facility as show on Fig. 11 of Bogrett.

Regarding claim 39, although Bogrett teaches displaying through the plurality of viewers data accessed from the data source, illustrating a web browser on Fig. 11 including a tool bar (486) having a "context help facility" HELP selection, he does not explicitly teach wherein the context sensitive help facility is actuated by clicking the right button of a mouse. *Official Notice* (see MPEP § 2144.03 *Reliance on "Well Known" Prior Art*) is taken that help facility, graphical user interface and/or window actuated by clicking the right button of a mouse was old and well known in the art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include help facility is actuated by clicking the right button of a mouse, because in doing so it would assist the user of the data viewers in the Bogrett system to locate help files containing context sensitive information corresponding to the toolbar or menu item being selected by the click and displaying the information from the help file to the user in a pop-up window located near the toolbar or menu item being selected by the click avoiding the closure of all applications currently being viewed since the help facility typically overlays over any existing opened application, as known in the art (see pertinent prior art)

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Regarding claims 44-46, this management system claim comprising features similar to those discussed on claims (1-4, 6-11, 17-23, 29-34, 37) same rationale of rejection is applicable.

Citation of Pertinent Art

11. The following prior art made of record and considered pertinent to applicant's disclosure. Copies of Non-Patent Literature documents cited will be provided as set forth in MPEP§ 707.05(a):

(US 5790120) Lozares et. al. teaches means for storing a current configuration of the graphical user interface so that the system can restore at a future session any application programs executing in the logical display regions and wherein an application program which is restored at a future session is restored in a particular logical display region within which the application program had been executing when the configuration was stored.

Response to Arguments

12. Applicant's arguments filed 10/18/06 have been fully considered but they are not persuasive.

13. Regarding claim 1 anticipated by the applied Bogrett reference it is argued (remarks on p. 10) that the applied reference uses the term portal in a very different sense than that in which it is used in the present invention because in this invention, quote "the term "portal" means a window (or viewer) in which one of more other data viewers is/are displayed".

In response to the above-mentioned argument, Applicant's interpretation of the presented invention has been fully considered. However, according to the applicant's disclosure (including the portions cited by applicant in his/her remarks), the term portal is described as: Portals are where data sources and viewers come together (page 12, line 8-9); portals are tools that organize data analyzes and manipulations of data sources. In the system of this invention portals generally consist of a group of data viewers used to browse, view and edit data. Viewers may be table, chart, plexus, SQL, record viewers, or other viewers, each viewer is connected to a single data source. Portals are used to organize viewers and to create collections of data analyses (page 19, lines 5-27); portals 16 are tools used to collect, visualize, analyze and often directly edit data sets associated with potentially different data sources that are accessible to the system. As such, a portal may be considered as a collection of data gathering, analysis and visualization tools. From the user's perspective, portals 16 are composed of a user-specified, arbitrary collection of viewers 18a-d, where an individual viewer may be, for example, a three-dimensional table, a chart, or a plexus viewer, as illustrated in Figs. 1A-E (page 26, lines 16-30); Figure 8 shows schematic representation of a portal and Figure 9 shows an actual representation of a portal interface 16, the portal

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interface 16 includes at least one viewer 18, a menu bar 60, a tool bar 62 and a status bar 64 (page 28, lines 11-13). Specifically, the portion cited by applicant has been reviewed, namely, page 19, lines 13-18:

Portals are used in the system of this invention to organize viewers and to create collections of data analyses. In this way, users can have portals that have a purpose, such as testing database applications. In a preferred embodiment, a portal can be created for each type of analysis. When users access the portal, the underlying viewers are connected to the data and are ready to perform the requested analysis.

It remains unclear where the written description of instant invention defines a portal as a window. The cited portion describes the term portal with respect to its intended use and/or operation.

Arguments that that the applied reference uses the term portal in a very different sense than that in which it is used in the present invention because in this invention, the term "portal" means a window (or viewer) in which one of more other data viewers is/are displayed, seem inconsistent with the written disclosure as filed, and thus not persuasive.

14. Regarding claim 1, anticipated by the applied Bogrett reference it is argued (remarks on p. 11) that the applied reference does not content concurrently and additionally with the content of still other collections of viewers, and/or display more than one portal concurrently with other portals, as now amended.

In response to the above-mentioned argument, applicant's interpretation of the applied reference has been considered. In this case, Hoffman disclosure teaches a portal that integrates other portals [0006]; the integrated portal system comprises a first and second portal, the system integrates the first and second portal so the user can view information relating to both portal in a single portal system [0007], the portal system access information from the data sources of each individual portal [0011, 0013] including accessing and displaying [0015], thus more than one portal can be viewed simultaneously. Bogrett teaches where the data views may be distributed or shared among one or more groups of users. Thus, the data viewers at one portal associated with one user can be distributed or shared in another portal associated with the other user, live or at a particular point in time (see Bogrett column 5, lines 35-47).

15. Regarding claim 1, anticipated by the applied Bogrett reference it is argued (remarks on p. 12-13) that the present invention is distinguishable over the applied reference because "the contents of a portal can not only be edited by adding and deleting data viewers, but also by merging the contents (or the data viewers) of one portal with another (see page 32, lines 4-21, of the present application). Because each data viewer encapsulates the information necessary to completely rebuild itself (e.g., the viewer type and the related data sources), a data viewer can be moved from one portal to another without having to

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recreate the process of selecting a data source and viewer. This merger process does not involve simply capturing the various displays, but rather, it involves transforming the parameters of the data viewer(s) being copied in such a manner so as to be fully operational in the receiving portal. In the present invention, this is accomplished whether the receiving portal is owned by the same or a different user, and even if it is operating on a different hardware platform. Further, for each data viewer being moved from one portal to another, the migrating data viewer must not interfere with other data viewer components in the same or other portals. In order to achieve this isolation, the data sources are cloned (see page 29, line 17 and 21 of the present application) so as to isolate different instances of an original data source. Thus, each data viewer or portal component has its own "cloned" instance of a data source. There is no reference in Bogrett to such data cloning, which is necessary to effectuate the merger feature of the present invention. Claim 1 has been amended to provide that "one or more data viewers from one portal can be merged into another portal."

In response to the above-mentioned argument applicant's interpretation of the applied reference and/or the present invention has been considered. However, the cloning, transforming, migrating and/or isolating features and/or aspect that applicant relies on are not claimed. Claim 1, has been amended to provide that one or more data viewers from on portal can be merged into another portal, Applicant is referred to the above rejection (item 7).

16. Regarding claim 1, anticipated by the applied Bogrett reference it is argued (remarks on p. 13) that the present invention is distinguishable over the applied reference because "Bogrett does not use federation to support the editing of data across portals (because you can only have one portal open at a time in Bogrett)". Because according to applicant, in the present invention, a portal supports the editing of data across portals. For example, the same data-edit actions, in particular, data copying and pasting, may be applied across portals. This is due to the federation functionality of a portal. The term "federation" is generally known in the industry, and it refers to the ability to associate elements of one "domain of discourse" (or data source) with elements in another domain of discourse that have similar meaning (for example, "Tel No" in one database as compared to "Telephone" in another database). (See page 3, lines 23 and 24 of the present application.)

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., *use of a federation to support the editing of data across portals, a portal which supports the editing of data across portals, same data-edit actions, in particular, data copying and pasting, may be applied across portals*) are not recited in the

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argued rejected claim. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

17. Regarding claim 1, anticipated by the applied Bogrett reference it is argued (remarks on p. 14) that the present invention is distinguishable over the applied reference because Bogrett does not teach of portals used as devices for capturing work and then sharing it with others, as is done in the present invention. Because according to Applicant “[I]n the present invention, a portal is the work space for a user wherein both work-in-progress and results of analysis may be collected and subsequently preserved for later use and sharing with others. This preserved portal includes all of the required parameters to completely regenerate the contents of a portal based on the current state of the sources of data involved. This is particularly significant for collaborative operations and where work flows from one organizational element to another. In such scenarios, the portal can become the analytical and data glue for coherent activities. Further, in that the portal is a workspace, it is reasonable to expect that more than one portal is needed wherein each portal represents a different workspace of the same or even different problem spaces. Thus, a portal must be sufficiently isolated in its behavior so as to properly coexist with other portals, concurrently displayed or catalogued, even in those cases where one or more portals is/are applying the same sources of data. (For support for these statements in the present application, see, without limitation, page 5, lines 6-25, page 25, lines 25-27, page 14, lines 15-19, page 20, lines 19-27, page 22, lines 28-32, and Section 1.4.5 beginning on page 29.)

In response to the above-mentioned argument, applicant’s remarks have been considered, however although applicant seems to redefine the claimed term portal as a workspace, the written disclosure has been reviewed. The term “workspace” seems to be only recited once therein, namely, “The Transcript Controller provides a record of actions performed in the system and a facility for executing commands. Transcripts are used in accordance with the present invention as a workspace for creating and executing commands, as well as for documenting work that has been performed (see page 12, lines 16-20). The portion upon applicant relied on for defining a portal as a “workspace” has been reviewed however it remain unclear where in the definition explicitly recited in order to considered this definition as a controlling definition upon which claims must be interpreted (see MPEP 2111/2106).

In response to applicant’s argument that the references fail to show certain features of applicant’s invention, it is noted that the features upon which applicant relies (i.e., *portals used as devices for capturing work and then sharing it with others, a portal is the work space for a user wherein both work-*

in-progress and results of analysis may be collected and subsequently preserved for later use and sharing with others, the portal includes all of the required parameters to completely regenerate the contents of a portal based on the current state of the sources of data involved, wherein each portal represents a different workspace of the same or even different problem spaces, the portal has an isolated behavior so as to properly coexist with other portals, concurrently displayed or catalogued, even in those cases where one or more portals is/are applying the same sources of data) are not recited in the argued rejected claim. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The applied reference teaches capturing work and sharing it with others. Specifically, Bogrett discloses where the views (tables, graphs, reports, pivots, and web pages) may be viewed in real-time, in addition, the views may be scheduled to be updated automatically at regular intervals, updated when first opened, and the like. The views can be saved privately by a user or may be distributed or shared among one or more user groups (see column 5, lines 35-47); the data and calculations contained in the view can be set to refresh from the database according to several options, including specific time schedules, this allows views to be easily refreshed to reflect the current state of the data and users to always work with the most up-to-date information the view may thereby be updated and automatically distributed to a group of users via a shared portfolio 58 (see column 6, line 6-19). Hence, Bogrett also teaches rebuild data viewers associated with a portal by requerying the data sources associated with said data viewers at the point in time which the data viewer is reopened.

18. Regarding claim 1, anticipated by the applied Bogrett reference it is argued (remarks on p. 14) that the present invention is distinguishable over the applied reference because Bogrett does not teach "data viewers", because "[T] the data viewers of the present invention are distinguishable from the Bogrett "viewers." In the present invention, each viewer is an analytical element with features for displaying the results of the analysis. Each viewer is sufficiently abstract so as to have features for refinement of the data being analyzed and for customization of the manner in which data is displayed. (See page 12, lines 10-12, page 16, lines 8-18, page 18, lines 22-23, page 22, lines 25-27, and page 34, lines 1-2 of the present application.) As with the viewer's portal parent, each viewer must also have the ability to be preserved and later reused or shared in the same or different work sessions while also remaining operationally isolated from other viewers. For example, one viewer could be analyzing the beginning of a list of data, while another viewer is analyzing data in the middle of that same list, and still another viewer could be analyzing all of the data in that same list. (For support for these statements in the present application, see page 16, lines 8-18, page 21, lines 18-26, page 22, lines 4-6, page 25, lines 10-11,

and page 27, lines 1-5.). This functionality of the viewer as an analytical tool is not contemplated in Bogrett and is captured in the limitation of claim 1 that each data viewer is configured to analyze data in the data sources and display the results of said analysis." The data viewers of the present invention may derive new data elements (e.g., table columns) and summaries of any data elements beyond that available through SQL. (See page 166, lines 2-6 of the present application.) Bogrett's viewers, on the other hand, use SQL features only. (See, without limitation, Bogrett column 6, lines 36-48 and column 11, lines 50-56.) These features are typically required for JDBC drivers on legacy systems that do not already incorporate such features.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., each viewer is an analytical element with features for displaying the results of the analysis, each viewer is abstract so as to have features for refinement of the data being analyzed and for customization of the manner in which data is displayed, each viewer must be preserved and later reused or shared in the same or different work sessions while also remaining operationally isolated from other viewers, data viewers may derive new data elements (e.g., table columns) and summaries of any data elements beyond that available through SQL) are not recited in the argued rejected claim. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The applied reference teaches claim (1) limitation as amended, which recites, "wherein each data viewer has access to one or more data sources and is configured to analyze data in the data sources and display the results of said analysis". Bogrett discloses where the portal provides a multidimensional analysis tools (column 3, lines 29-32), the portal comprises a plurality of data viewers (Figs. 11-12), each data viewer includes functions for performing analysis on data obtained from the data source (column 2, lines 32-36), e.g. sort and filter data (column 7, lines 61-64), the additional views may include pivot views and data drilling for high and low level analysis (column 16, lines 15-16); the viewer 124 creates a combination of data views allows users to easily switch from any view 60 of data to any other and to sort and filter data (column 7, lines 61-64); specific user users may have access to a full range of data analysis and collaboration features (see column 4, lines 56-57)

19. Regarding claim 6, anticipated by the applied Bogrett reference it is argued (remarks on p. 16) that reference number 488 is not a tool bar, it is a pull-down menu located along the top edge of the display window. (See column 16, lines 19-22). It is not clear to applicant how the drop-down menu (488)

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anticipates using an interface comprising a data source controller configured to create, edit, organize, select, and delete connection specifications for the one or more data sources utilized in connection with the present invention. Accordingly, the applicant respectfully submits that the rejection of claim 6 is misplaced.

In response to the above-mentioned argument, applicant's interpretation of the Bogrett reference has been reviewed. The claim (6) recites, *wherein the interface comprises a data source controller configured to create, edit, organize, select, and delete connection specifications for said one or more data sources*. In accordance with the MPEP, machine claims (in this case, claim 1 seems to be a system claim) will define discrete physical structure or materials (see MPEP §2106 (C)). Statements of intended use or field of use, e.g. "adapted for", "configured to" or "configured for" clauses, may raise a question as to the limiting effect of the language in the claim. In this particular claim limitation "*a data source controller configured to create, edit, organize, select, and delete connection specifications for said one or more data sources*" does not limit the claim and/or the data source controller to any particular structure (see also MPEP §2111.04). According to instant invention, [I]n a preferred embodiment, data collection in the system of this invention is done using a Data Source Manager 35. The Data Source Manager generally handles the specifications for a query after entry and validation. In addition to conventional fillers, such as "WHERE name = 'Bill'," such query specifications may include in a preferred embodiment the use of virtual columns, summary elements and columns, grouping and sorting, data driver (i.e., seed) tables and others. (see page 16, lines 1-7). Fig. 12 is an illustration of a Data Source Controller frame with sample data. Thus, it remain uncertain how the claim statement of intended use or field of use, e.g. "adapted for", "configured to" or "configured for" clauses, has a limiting effect of the language in the claim, particularly, where "*a data source controller configured to create, edit, organize, select, and delete connection specifications for said one or more data sources*" limits the claim and/or the data source controller to any particular structure (see also MPEP §2111.04).

20. Regarding claim 7, anticipated by the applied Bogrett reference it is argued (remarks on p. 17) that it is novel to import data in a data viewer from one portal to another without changing the format of the data viewer (support for this amendment is found on page 5, lines 9-14 and 23-24 among other presented by applicant).

In response to the above-mentioned argument, applicant's interpretation of the invention is noted. The provided portion has been reviewed. In this case,

In another aspect, the system of this invention comprises a state-save facility that monitors and records the status of the system operations. Retaining the current system status makes the system simpler and more efficient to use,

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and in particular provides the ability to close a work session and then restore automatically the system status at the beginning of the next work session. This saves users the time necessary to recreate the individual data access and analysis settings. Also, because the records of the system status can be provided to other users, the state-save facility used in a preferred embodiment further enables sharing of data among different users. In specific embodiments, the state save facility includes processes for saving, restoring or sharing portal states. Similarly, save, restore and share data source specification processes are provided in alternative embodiments. More specifically, in one aspect the invention is a processing method for use in a data management system comprising an interface connecting the system to one or more data sources and at least one portal having a plurality of data viewers, each data viewer having access to a data source and being configured to perform analysis of data and displaying the results of an analysis. The method comprises the steps of monitoring and recording data source definitions used by each portal for data sources accessed in a work session; monitoring and recording the state of viewers associated with data sources accessed in the work session; closing of one or more portals in response to a user command; storing in a memory location of data source definitions and viewers' states that exist at the time when the closing command is received; and restoring the data source definitions and viewers' states from the memory location in response to a user command directing the opening of one or more closed portals.

Although it is not clear where is explicitly recited "import data in a data viewer from one portal to another without changing the format of the data viewer". However, it seems that storing in a memory location of data source definitions and viewers' states preserves the format of the data viewer. Storing data viewer's state is taught by the prior art. Particularly, Cohn teaches where the viewers (panes) are saved and restored particular layout (column 8, lines 35-39), restoring or reapplying a particular pane configuration in response to an application-specific action and in other situations (column 30, lines 8-16), where viewer's layouts can be saved and restored by writing a layout to a file or other storage when the tiler is closed, and reading the layout back from storage when the tiler is reopened, the viewer's content and tenant information can be saved along with such saved layout information, this provides the convenience of being able to return the layout to where the user left off when last working with the tiler, or current arrangement in a session (column 40, lines 51-65); the layouts can be and stored and restored in the same or in a later session, any previous layout can be re-obtained by the user or application as later access (column 42, lines 6-19). Hoffman disclosure teaches a portal that integrates other portals [0006]; the integrated portal system comprises a first and second portal, the system integrates the first and second portal so the user can view information relating to both portal in a single portal system [0007], the portal system access information from the data sources of each individual portal [0011, 0013] including accessing and displaying [0015], thus more than one portal can be viewed simultaneously.

Thus the applied references teach import data in a data viewer from one portal to another without changing the format of the data viewer" by storing in a memory location of data source definitions and viewers' states preserves the format of the data viewer.

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21. Regarding claim 8 has been rejected as obvious in light of Bogrett and Lai et al., it is argued (p. 17 of remarks) that neither of these references teaches or suggests the concurrent visualization and manipulation of data from different sources wherein that data can be moved from one portal to another.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "wherein that data can be moved from one portal to another") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

22. Regarding claim 9-19 been rejected as obvious in light of Bogrett and Lai et al., it is argued (p. 17 of remarks) that the state-save facility of the present invention is used in a very different way than the state-save facility of Lipkin, because in the present invention, the state-save facility is used to rebuild the data viewers by recreating queries to the underlying databases and reflecting the data as it exists at the time the data viewers are rebuilt.

The above-mentioned argument is moot in view of remarks on item 5 above.

23. Regarding IDS filed 12/26/06, applicant is hereby informed that these documents have been filed in an Artifact folder, but not scanned in accordance to an artifact sheet posted on 12/26/06 which applicant can see via Patent Application Information Retrieval (PAIR) system. Examiner, at best can presume that the documents were not legible for some color related issue, since there is not further explanation provided thereon. In accordance with the MPEP 2218 regarding copies of Prior Art, "[I]t is required that a copy of each patent or printed publication relied on or referred to in the request, be filed with the request (37 CFR 1.510(b)(3)). If the copy provided is not legible, or is such that its image scanned into the Image File Wrapper system (IFW) will not be legible, it is deemed to not have been provided. An exception is color photographs and like color submissions, which, if legible as presented, will be retained in an "artifact" file and used as such".

For the above-mentioned reason, IDS filed 12/26/06 has been filed but not scanned, thus not available to examiner, and thereby not considered.

24. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code (page 23). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

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25. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Thursday from 5:30 to 2:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Andrew T. Caldwell can be reached at (571) 272-3868. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see <http://pair-direct.uspto.gov> or the Electronic Business Center at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

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TC 2100
January 12, 2007